PTO-1390 (Rev. 07-2005)
Approved for use through 03/31/2007. OMB 0651-0021
U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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TRANSMITTAL LETTER TO THE UNITED STATES	ATTORNEY'S DOCKET NUMBER							
DESIGNATED/ELECTED OFFICE (DO/EO/US)	564462012800 U.S. APPLICATION NO. (if known, see 37 CFR 1.5)							
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371	10/576,122							
INTERNATIONAL APPLICATION NO. INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED							
PCT/US2004/034913 20 October 2004  TITLE OF INVENTION	21 October 2003							
METHODS FOR MAKING SIMVASTATIN AND INTERMEDIATES								
APPLICANT(S) FOR DO/EO/US Brian MORGAN et al.								
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:								
This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.								
2. X This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.								
This is an express request to begin national examination procedures (35 linclude items (5), (6), (9) and (21) indicated below.	J.S.C. 371(f)). The submission must							
4. The US has been elected (Article 31).	·							
5. A copy of the International Application as filed (35 U.S.C. 371 (c)(2))								
a. is attached hereto (required only if not communicated by the International Bureau).								
b has been communicated by the International Bureau.								
c. is not required, as the application was filed in the United States Receiving Office (RO/US).								
6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).								
a. is attached hereto.								
b. has been previously submitted under 35 U.S.C. 154(d)(4).								
7 Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))								
a. are attached hereto (required only if not communicated by the International Bureau).								
b have been communicated by the International Bureau.								
c. have not been made; however, the time limit for making such amendments has NOT expired.								
d. have not been made and will not be made.								
An English language translation of the amendments to the claims under P	CT Article 19 (35 U.S.C. 371(c)(3)).							
9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).								
An English language translation of the annexes of the International Prelim Article 36 (35 U.S.C. 371(c)(5)).	inary Examination Report under PCT							
Items 11 to 20 below concern document(s) or information included:								
11. x An Information Disclosure Statement under 37 CFR 1.97 and 1.98. (3	pages)							
12. An assignment document for recording. A separate cover sheet in complete	iance with 37 CFR 3.28 and 3.31 is included.							
13. A preliminary amendment.								
14. An Application Data Sheet under 37 CFR 1.76.								
15. A substitute specification.								
16. A power of attorney and/or change of address letter.	i							
17. A computer-readable form of the sequence listing in accordance with P								
18. A second copy of the published International Application under 35 U.S.								
19. A second copy of the English language translation of the international a	application under 35 U.S.C. 154(d)(4).							

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U.S. APPLICATION	U.S. APPLICATION NO. (if known, see 37 CFR 1.5)  10/576,122  INTERNATIONAL APPLICATION NO. PCT/US2004/034913		ATTORNEY'S DOCKET NUMBER 564462012800					
20. X Other items or information: Form PTO/SB08a/b (1 page + duplicate) 3 References Return Receipt Postcard								
The following fees have been submitted				····	CALCULATION	S PTO USEONLY		
· —	•		))		\$300	\$ 0.0		
22. Examination fee (37 CFR 1.492(c))  If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)\$0  All other situations \$200					\$ 0.0	00		
23. Search fee (37 CFR 1.492(b))  If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)\$0  Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority					\$ 0.0	00		
	TOTAL OF 21, 2					\$ 0.0	00	
Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)).  The fee is \$250 for each additional 50 sheets of paper or fraction thereof.								
Total Sheets Extra Sheets Number of each additional 50 or fraction RATE thereof (round up to a whole number)								
- 100 =	/50 =	/50 = x \$250.00		\$ 0.0	00			
Surcharge of \$130 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).			\$ 0.0	DO .				
CLAIMS		IMBER FILED	NUMBER EXTRA		RATE			
Total clair		-20 =		X		<del></del>		
Independent claims - 3 = x  MILITIPLE DEPENDENT CLAIM(S) (if applicable) +								
MULTIPLE DEPENDENT CLAIM(S) (if applicable) +  TOTAL OF ABOVE CALCULATIONS =			\$ 0.00					
X Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.								
SUBTOTAL =				\$ 0.0	00			
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).			ns from the earliest	\$ 0.00				
TOTAL NATIONAL FEE =			\$ 0.00					
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property			\$ 0.00					
			\$ 0.00					
TOTAL FEES ENCLOSED =			\$ 0.00					
			Amount to be refunded:	\$				
			Amount to be charged	\$				

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. A check in the amount of \$ to cover the above fees is enclosed. Please charge my Deposit Account No. in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit 03-1952 . A duplicate copy of this sheet is enclosed. Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038 NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed an granted to restore the International Application to pending status. SEND ALL CORRESPONDENCE TO: Gregory P. Einhorn Gregory P. Einhorn Morrison & Foerster LLP NAME 12531 High Bluff Drive, Suite 100 San Diego, California 92130 38,440 CUSTOMER NUMBER: 45975 REGISTRATION NUMBER U.S. APPLICATION NO. (if known, see 37 CFR 1.5) INTERNATIONAL APPLICATION NO. ATTORNEY'S DOCKET NUMBER 10/576,122 PCT/US2004/034913 564462012800 I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: MS PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below. Dated: August 11, 2006 Signature: (Grace Yu)